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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,666	04/15/2005	Nobuhiko Tsukahara	09792909-6095	1829
26263	7590	12/29/2005	EXAMINER	
SONNENSCHN NATH & ROSENTHAL LLP			NGUYEN, CHAU N	
P.O. BOX 061080			ART UNIT	
WACKER DRIVE STATION, SEARS TOWER			PAPER NUMBER	
CHICAGO, IL 60606-1080			2831	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/531,666	Applicant(s) TSUKAHARA ET AL.	
	Examiner Chau N. Nguyen	Art Unit 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11 and 12 is/are rejected.
- 7) ☒ Claim(s) 10 and 13 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4-15-05</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf (3,524,921) in view of Chiu et al. (2003/0178221).

Wolf discloses a cable including a plurality of core wires (23, 24) having a medium, a coating member (22) which covers at least part of the core wire, the coating member having a flat surface portion formed substantially flat at part of a surface thereof and having stickiness, a separating member (29) stuck on the flat surface portion and being releasable from the coating member, and a cover member (21) which covers the surface of the coating member at an area other than the flat surface portion. Wolf does not disclose the coating member being divided into a plurality of layers and provided to have the core wire sandwiched between the divided layers. Chiu et al. discloses a conductive tape comprising a coating member which is divided into a plurality of layer (18a and 18b) to sandwich a core (14). It would have been obvious to one skilled in the art to apply the teaching of Chiu et al. in the cable of Wolf, such as providing another layer 22 on the other side of the core wire (23, 24) to further protect the core wire and to further secure the cable to a surface. Noted that the modified cable of Wolf can be used for data transmission since it comprises structure and material as claimed.

4. Claims 3, 4, 8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf in view of Chiu et al. as applied to claim 1 above, and further in view of Richter (3,168,617).

The combination of Wolf and Chiu et al. discloses the invention substantially as claimed except for the cover member being composed of a substantially transparent material, the coating member being composed of a substantially transparent material, and an intervening member being disposed between the core wire and the coating member. Richter discloses a cable comprising a plurality of core wires covered by an intervening member (15), a coating member (13) and a cover member (11). Richter discloses transparent material being suitable for being used as cover member such that the position of the core wires may be readily determined from an inspection of the cable (col. 3, lines 59-62). Richter also discloses a transparent coating member (adhesive) having high tensile strength and good electrical insulating properties (col. 4, lines 2-9). It would have been obvious to one skilled in the art to use transparent material for the cover member and for the coating member respectively as taught by Richter in the cable of Wolf since these materials have excellent insulating properties. It would have been obvious to one skilled in the art to provide an intervening member between the core wire and the coating member of Wolf such that the cable has great resistance to wicking (col. 9, lines 53 and 60-62) as taught by Richter.

5. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf in view of Chiu et al. as applied to claim 1 above, and further in view of Shelton, Jr. (3,408,453).

Claims 5 and 6 additionally recite the cover member having a light shielding property and an electromagnetic shielding property. Shelton, Jr. discloses a cable comprising a cover member (17) which has a light shielding property and an electromagnetic shielding property. It would have been obvious to one skilled in the art to provide the member as taught by Shelton, Jr. in the cover member of Wolf to provide a conductive shielding for the core wires.

Allowable Subject Matter

6. Claims 10 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not teach or suggest a cable comprising all the features as recited in the claims and in combination with the intervening member having a substantially C-shaped cross-section and being formed tubular (re claim 10) and with the intervening member being made of sheet-like members

with the core wires being sandwiched from top and bottom with an upper one of the sheet-like members and a lower one thereof (re claim 13).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau N. Nguyen whose telephone number is 571-272-1980. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/531,666
Art Unit: 2831

Page 7

A handwritten signature in black ink, appearing to read "Chau N Nguyen", with a long horizontal flourish extending to the right.

Chau N Nguyen
Primary Examiner
Art Unit 2831